

REMARKS/ARGUMENTS

Consideration of the present application as amended is respectfully requested.

Claims 1-51 remain in this application. Claims 41-47 have been withdrawn. Claims 48-51 have been added.

In the Office action mailed October 29, 2008 the Examiner required restriction between Claims 1-40 (Group I), drawn to a device comprising a first layer which is flexible and a second layer overlaying the first layer that meanders across the first layer so as to prevent fracture of the second layer when the first layer is deformed, the second layer comprising a plurality of interconnected portions each having a portion length, the portion length being selected to prevent fracture when the first layer is deformed to a predetermined radius of curvature, and Claims 41-47 (Group II) drawn to a device comprising a flexible substrate and a layer on the substrate comprising a plurality of conductive islands, each island being multiply connected to one or more other islands so as to form a conductive path across the substrate.

Applicants do not agree with the Examiner's characterization of Group I to the extent Group I as set

forth in the Office action could be said to add limitations to Claim 1. To move forward with prosecution, however, Applicants elect to prosecute the claims of Group I as directed to a device comprising a first layer which is flexible and a second layer overlaying the first layer that meanders across the first layer so as to prevent fracture of the second layer when the first layer is deformed, as recited in Claim 1.

Subject to the clarification set forth in the preceding paragraph, Applicants elect to prosecute the claims of Group I, without traverse and without prejudice to, inter alia, Applicants' right to pursue the withdrawn claims, as well as further species and/or generic claims, in a divisional application.

Claims 48-51 were added to provide Applicants with protection commensurate in scope with the invention disclosed.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks.

However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for consideration by the Examiner. A Notice of Allowance is earnestly solicited.

If any informalities remain, the Examiner is requested to telephone the undersigned in order to expedite allowance.

Please charge any fee deficiencies and credit any overpayments to Deposit Account No. 14-1270.

Respectfully submitted,

By Frank J. Keegan 11/24/08
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